

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KAMAL KARNA ROY,

Plaintiff,

-v.-

Civil Action No.
8:08-cv-1075 (GLS/DRH)

USA,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

KAMAL KARNA ROY
Plaintiff *Pro Se*
P.O. Box 1173
14 Kiwassa Rd
Apt. 5G
Saranac, New York 12983

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed March 4, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed March 4, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

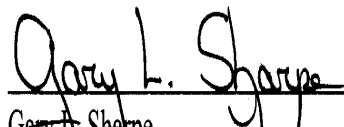
ORDERED, that Roy's complaint is DISMISSED in its entirety without prejudice pursuant to Fed. R. Civ. P. 16(f)(1)(C) and 37(b)(2)(A)(v) for Roy's failure to comply with the Court's October 17 and November 13, 2008 orders, and it is further

ORDERED, that the Clerk of the Court is directed to close this case, and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties in accordance with this court's local rules.

IT IS SO ORDERED.

Dated: April 1, 2009
Albany, New York



Gary L. Sharpe
U.S. District Judge